

UNITED STATES DISTRICT COURT
for the
Eastern District of New York

ROBERT SKIBA, on behalf of himself, FLSA)
Collective Plaintiffs and the Class,)

Plaintiff(s))
v.) Civil Action No. 24-cv-4916
43-43 KISSENA, LLC, 43KISSENA43, LLC, PERRY E)
BERGER, JOHN M DOWNING, JOHN M DOWNING,)
JR., ANDREW LIBASCI, ROBERT EISENOFF, and)
HARRY EISENOFF,)

Defendant(s))

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* See attached rider.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: C.K. Lee, Esq.

Lee Litigation Group, PLLC
148 West 24th Street, Eighth Floor,
New York, NY 10011

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 7/18/2024



BRENNNA B. MAHONEY
CLERK OF COURT

Shirley Mora

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

- I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or
- I left the summons at the individual's residence or usual place of abode with *(name)* _____,
a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or
- I returned the summons unexecuted because _____; or
- Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

SUMMONS RIDER

DEFENDANT(S) ADDRESS(ES)

- 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- 43KISSENA43, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- PERRY E BERGER
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- JOHN M DOWNING
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- JOHN M DOWNING, JR.
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- ANDREW LIBASCI
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- ROBERT EISENOFF
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361
- HARRY EISENOFF
c/o 43-43 KISSENA, LLC
42-08 Bell Boulevard
Bayside, NY 11361